UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/660,519	09/12/2000	Leland S. Bloebaum	4015-785	6474

24112   7590   11/18/2004

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EXAMINER
IQBAL, KHAWAR

ART UNIT	PAPER NUMBER
2686	

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

<u>PERIOD FOR REPLY</u> [check either a) or b)]

a) ☐ The period for reply expires _____months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1.☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2.☐ The proposed amendment(s) will not be entered because:

    (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ they raise the issue of new matter (see Note below);

    (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.
       NOTE: _____.

3.☐ Applicant's reply has overcome the following rejection(s): _____.

4.☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

    5.☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the   application in condition for allowance because: *See Continuation Sheet*.

6.☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7.☒ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: *1-13,15-27 and 29-32*.

    Claim(s) withdrawn from consideration: _____.

8.☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9.☒ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10.☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's arguments filed 9-17-04 have been fully considered but they are not persuasive. Examiner has thoroughly reviewed applicant's arguments but firmly believes the cited reference to reasonably and properly meets the claimed limitations. Applicants argument was that "wherein referencing said information to determine a subset of the position detection assisting devices which are available comprises determining a subset comprising only the position detection assisting devices necessary and sufficient from which to determine location". In response, examiner would like to poin out that King et al (6313787) teaches stores a GPS almanac at the mobile station. The almanac data is a truncated, reduced precision subset of the ephemeris data. A base station computes location and clock correction information for the almanac and transmits this correction over the communication link to the mobile station. The mobile station determines that it has the proper correction data for its almanac and, if so, computes satellite location and clock data using the almanac (col. 2, lines 52-60). Once the acquisition assistance data is received, Pseudo Range (PR) measurements can be determined for the GPS signals of suitable signal strength in 602. Followin this, a test 604 is made to determine if sufficient PRs are available to support a position fix: generally, four satellites are required to compute a fix; however, three satellites may be adequate if an altitude can be assumed or supplied from the infrastructure for the mobile handset. If sufficient satellites are available, the available ephemeris data is collected and examined 606, and the resultant fix accuracy is computed in step 608. If the predicted accuracy is adequate, appropriate differential correction data can be requested as in 616. If th accuracy is not adequate, however, a determination of which satellites' ephemeris data needs to be upgraded is made in 612, and requests are made for updated ephemeris for only these satellites in 614. The requested DGPS correction data 616 is specific to the IODE for each ephemeris. When the correction data is received, the corrections are first propagated to current time 618, and then applied to the measured PRs 620. Residuals are formed between the measured PRs and the predicted range to each satellite (derived using the ephemeris data and a prior position estimate) 622, and used to refine the position estimate, or compute a position fix 624. In using this protocol combination, control of the transfer of data for each handsets position computations resides within the handset ,itself. Such a protocol will therefore minimize data transactions within the cellular network, as each transfer is driven by a mobile handset's need (col. 12, lines 5-40,col. 13, lines 25-50, col. 14, lines 1-30, col. 16, lines 1-32) .

RAFAEL PEREZ-GUTIERREZ
PATENT EXAMINER
11/15/04

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